

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF NEW YORK**

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|--|---|-------------------|
| ROUNDTABLE HEALTHCARE |) | |
| PARTNERS, L.P., a Delaware Limited |) | |
| Partnership, |) | |
| |) | |
| Plaintiff, |) | |
| |) | |
| v. |) | 08 CV 02968 (MGC) |
| |) | |
| ANGIOTECH PHARMACEUTICALS |) | |
| (U.S.), INC., a Washington Corporation |) | |
| |) | |
| Defendant. |) | |

**ROUNDTABLE’S NOTICE OF MOTION
FOR PARTIAL JUDGMENT ON THE PLEADINGS
PURSUANT TO FED. R. CIV. P. 12(C)**

PLEASE TAKE NOTICE that, upon the annexed Memorandum of Law of RoundTable Healthcare Partners, L.P. (“RoundTable”) in Support of RoundTable’s Motion for Partial Judgment on the Pleadings Pursuant to Fed. R. Civ. P. 12(c), and the pleadings herein, RoundTable will move this Court, before the Honorable Miriam Goldman Cedarbaum, United States District Court Judge, on Monday, September 22, 2008 at 12:00 p.m., or as soon thereafter as counsel may be heard, for an order, pursuant to Fed. R. Civ. P. 12(c): (1) granting the relief requested in Counts I and II of RoundTable’s Complaint, dismissing with prejudice Count I of Angiotech’s Counterclaims, and entering such further and other relief as the Court deems just and appropriate; or (2) entering an order barring Angiotech from offering further proofs in support of its escrow claims beyond those contained in Angiotech’s Notice of Escrow Claim, and entering such further and other relief as the Court deems just and appropriate; or (3) granting the relief requested in Count II of RoundTable’s Complaint, dismissing with prejudice Count I of

Angiotech's Counterclaims to the extent it seeks relief common to Count II of RoundTable's Complaint, and entering such further and other relief as the Court deems just and appropriate.

Pursuant to the Parties' discussions with Chambers and § 3.C of the Individual Practices and Procedures of Judge Cedarbaum, Defendant Angiotech Pharmaceuticals (U.S.), Inc.'s answering papers must be filed by noon on Wednesday, September 10 and RoundTable's reply papers must be filed by noon on Tuesday, September 16.

Dated: August 14, 2008

Respectfully submitted,

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CERTIFICATE OF SERVICE

I hereby certify that on the 14th day of August 2008 I caused to be served a true and correct copy of the foregoing Notice of Motion for Partial Judgment on the Pleadings Pursuant to Fed. R. Civ. P. 12(c) upon each of the following via ECF and upon New York counsel via hand-delivery:

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